

PLANNING AND ZONING COMMISSION
STAFF REPORT

November 6, 2014



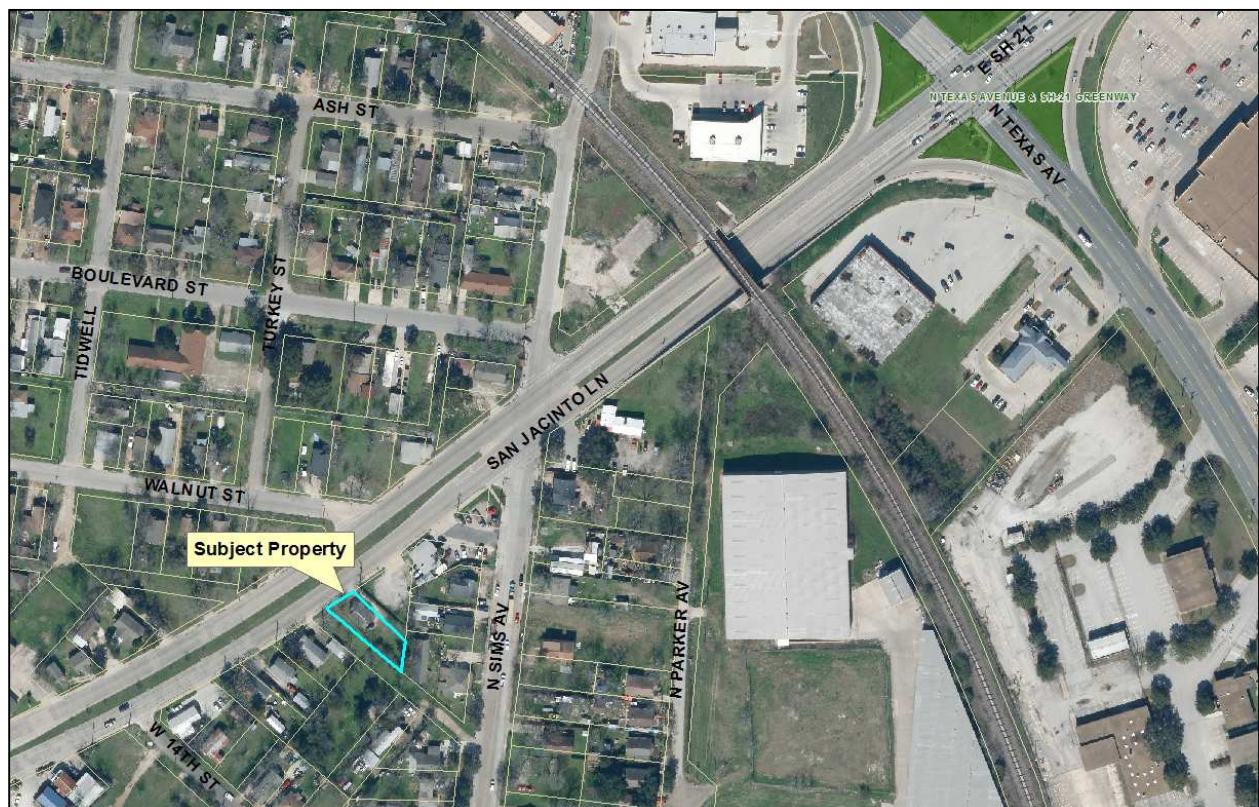
Right-of-way Abandonment case no. RA 14-06: Oak Grove Park Addition – Block 47

SIZE AND LOCATION: 0.17 acres of public alley right-of-way in Block 47 of Oak Grove Park Addition and Tabor Addition (an unrecorded subdivision), generally extending south from San Jacinto Lane (State Highway 21) between West 14th Street and North Sims Avenue

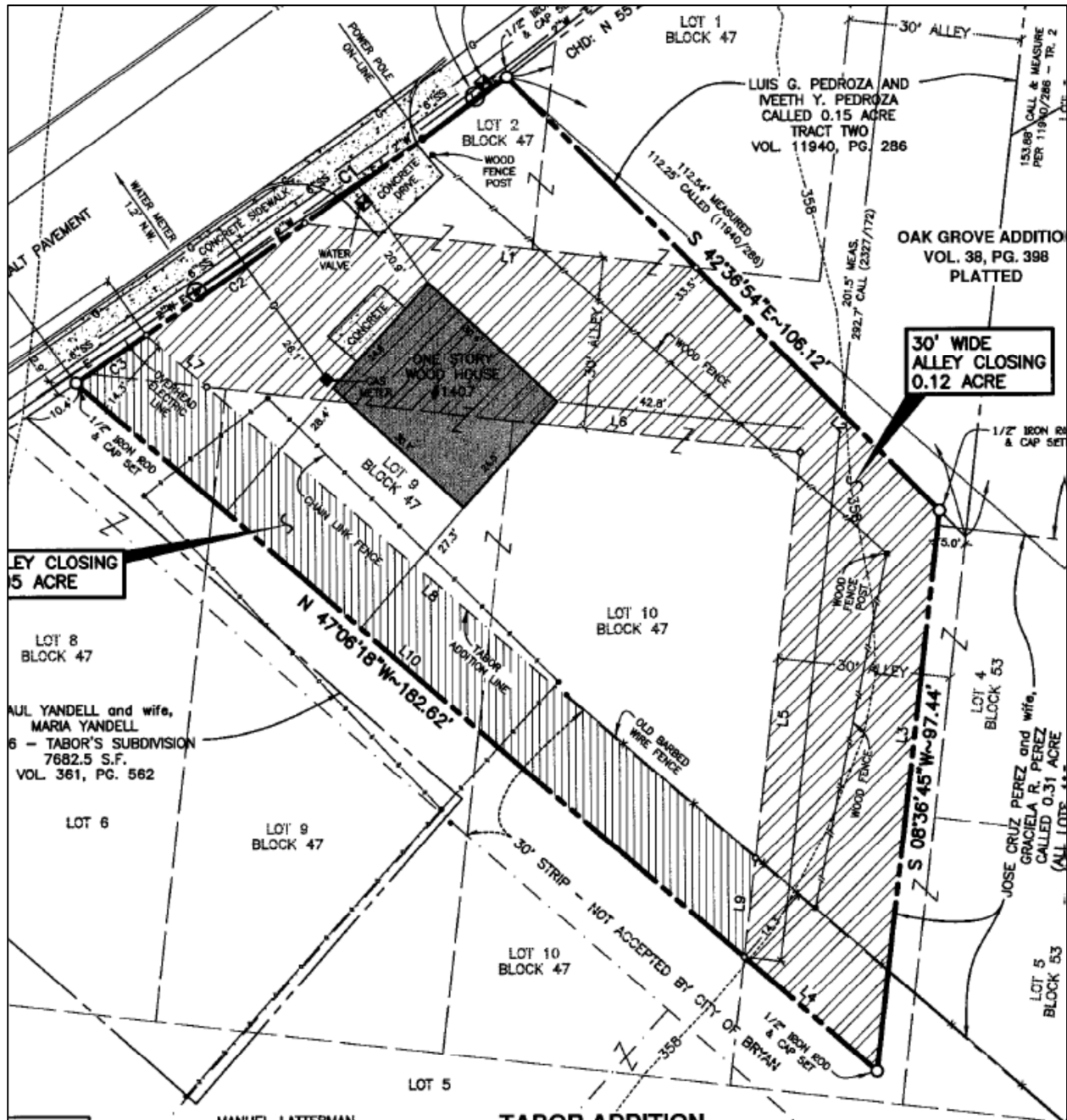
APPLICANT(S): City of Bryan Community Development Department / Eric Barton

STAFF CONTACT: Randy Haynes, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** the requested right-of-way abandonment.



DETAIL OF PROPOSED REPLAT DRAWING (case no. RP14-22) SHOWING THE AREA OF RIGHT-OF-WAY REQUESTED TO BE ABANDONED:



RIGHT-OF-WAY REQUESTED TO BE ABANDONED:

As part of a plan to replace a substandard residence on the subject property on behalf of the owner, Maria Esther Realegeno, the City of Bryan's Community Development Services Department wishes to first formally confirm the property boundaries of her lot. To accomplish that, a replat of the property is in progress and is the subject of case no. RP14-22. That replat request is also scheduled for consideration by the Planning and Zoning Commission during its regular meeting on November 6, 2014.

Although the final plat of the Oak Grove Park Addition was recorded in 1913, the portion of Oak Grove in the general area of the subject property has been during the intervening 100 years further subdivided by metes and bounds deeds without formal replatting. As a result, many of the lot lines described in the final plat, do not match actual ownership parcels that exist today. In the case of the subject property, portions of two alleys and one unrecorded right-of-way, possibly another alley, encumber the tract owned by Mrs. Realegeno.

Relating to and in preparation for the replat procedure, staff is requesting that specific rights-of-way encumbering and adjacent to the lot owned by Mrs. Realegeno be abandoned by the City Council. Specifically, staff is requesting the official abandonment of portions of public alley rights-of-way within and adjacent to Block 47 of the Oak Grove Park Addition. The subsequent replat will formally integrate these tracts with Mrs. Realegeno's ownership of the adjoining land. The rights-of-way requested to be abandoned are approximately 7,400 square feet in area and have never been improved as a driving surface.

Acting on behalf of the general public, only Bryan's City Council is authorized to officially abandon all or portions of rights of way dedicated for public use. The Planning and Zoning Commission hears and makes a recommendation on proposals to abandon any such rights-of-way.

ANALYSIS AND RECOMMENDATION:

Excess right-of-way burdens the public with possible continued maintenance, liability concerns, and is an inefficient use of urban land. The rights-of-way requested to be abandoned has been functionally integrated with adjacent land for many years. Abandoning the subject rights-of-way, therefore, will not interfere with the smooth circulation of vehicular and pedestrian traffic.

The Site Development Review Committee and staff recommend **approving** the request to abandon these portions of public right-of-way, **subject to the condition that a formal replat encompassing all property which the applicant owns or will own after abandonment of these rights-of-way is filed with the City for recording.**

Abandoning the subject rights-of-way, as recommended, will allow this land to be integrated with the adjacent lot and relieve the public from continued maintenance responsibilities. Staff contends that the recommended rearrangement of land will have the most likely long-range public benefit.